



AF  
RD  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Lean et al.  
TITLE : SYSTEM FOR TRANSPORTING AND  
SELECTIVELY SORTING PARTICLES  
AND METHOD OF USING THE SAME  
APPLICATION NO. : 10/612,122  
FILED : July 2, 2003  
CONFIRMATION NO. : 3936  
EXAMINER : Hageman  
ART UNIT : 3653  
LAST OFFICE ACTION : August 15, 2006  
ATTORNEY DOCKET NO. : A3107-US-NP  
XERZ 2 00594

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board of Patent Appeals and Interferences from a decision of the primary Examiner mailed **August 15, 2006** finally rejecting claims 1-3, 9-11, 19-23, 25-27, 33-36.

Pursuant to 37 C.F.R. 1.17(b), the fee for this Notice of Appeal is \$500.00.

- ☒ This application is on behalf of other than a small entity.
- ☒ The Commissioner is hereby authorized to charge the payment for this Notice of Appeal to Xerox Corporation's Deposit Account No. 24-0037. The Commissioner is also hereby authorized to charge any additional fees that may be required to Deposit Account No. 24-0037. An additional copy of this sheet is attached.

11/09/2006 ZJUHA1 00000073 240037 10612122

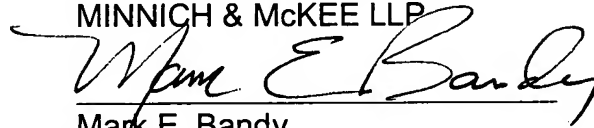
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OTHER DOCUMENTS ENCLOSED:

- ☐ A Petition for a -month extension of time under 37 C.F.R. 1.136(a) and appropriate Credit Card Payment Form PTO-2038.
- ☐ Pre-Appeal Request for Review
- ☐ Response to Final Office Action dated
- ☐ Other: \_\_\_\_\_

Respectfully submitted,

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November 6, 2006  
Date

Certificate of Mailing or Transmission	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being <input checked="" type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. <input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: <u>Mary Ann Temesvari</u>
Date: <u>November 6, 2006</u>	Name: Mary Ann Temesvari